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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,233	11/17/2003	Luis A. Castillo	10348-004	3702

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EXAMINER	
KEEFER, MICHAEL E	

ART UNIT	PAPER NUMBER
2154	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/715,233	CASTILLO ET AL.	
	Examiner	Art Unit	
	Michael E. Keefer	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 31-55 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 31-55 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☒ Interview Summary (PTO-413) Paper No(s)/Mail Date. 20089119 .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is responsive to the interview with Christine McLeod on 1/17/2008. It corrects the defects in the Final Office Action mailed 12/26/2007.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 31-32, 34-39, 41-50 and 53-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenwald (WO 91/86444), in view of Callay (US 5610923), in further view of Kojima (US 6384848).

Regarding claims 31 and 53-55, Greenwald discloses:

a) defining a plurality of classes of events and associating predetermined validation routines with selected classes. (page 23, lines 8-16 disclose that a fault hander is tied to a fault type.)

b) receiving an event representative of a problem in the network (Page 21, lines 12-15 disclose receiving faults in the network.)

c) automatically invoking the validation associated with the event class to test the object (page 23, lines 8-16 disclose fault handlers that perform diagnosis and tests on faults that return statuses)

d) invoking a remediation routine associated with a valid event (page 20 lines 6-155 disclose providing a solution to the problem to be implemented.)

performing event validation on the event based on event class designates secondary events as invalid events. (page 18 lines 33-35 discloses the suppression of secondary faults)

re-invoking the validation routine after remediation (page 15, lines 5-7 disclose verifying that the problem has been fixed)

automatically dispatching a problem ticket for the valid event. (page 19, line 30 - page 20 line 3 disclose presenting fault information (i.e. a problem ticket) to a user to solve the problem)

event validation on the event based on event class comprises invoking a specific method for validating an event corresponding to the event class, whereby the same method is invoked for every event of the event class. (page 23, lines 8-16 disclose that a fault hander is tied to a fault type, and that the highest priority fault handler for that fault type will be invoked for each fault from that fault type)

the specific method executes a validation task and analyzes the return code to determine event status. (page 26, lines 27-30 disclose that the return value of the fault handler is analyzed to determine if further processing is necessary)

wherein step (d) of invoking the validation routine is performed only if the event class has an associated validation routine. (if there are no fault handlers defined, inherently none will be executed.)

the step of creating an event record descriptive of the event prior to performing event validation. (Page 18 lines 26-27 disclose the creation of fault objects as soon as a fault is detected)

the step of updating the event record with a status of the event as valid or invalid after performing event validation. (the fault object is updated after every fault handler is executed)

appending information indicative of results of the automated event processing to a problem ticket. (Page 19 lines 30-36 disclose including the processing steps and their results in the trouble ticket that is forwarded to the user.)

the value assigned to the variable is a value corresponding to one of (a) no problem found and event not validated; (b) problem found and will go on with problem ticket if required; (c) problem found but was fixed by automated tasks; (d) task failed to execute, however the problem may still be valid and will go on with problem ticket if required; (e) task failed to execute and an unknown anomaly was found and a ticket will be created; and (f) event correlated and this event should not be forwarded due to possible correlation. (The PROBLEM value represents (c), the unknown value represents (e) and (f)).

Greenwald discloses all the limitations of claims 31 and 53-55 except for performing automated validation of the event before performing remediation of the event.

The general concept of checking to make sure an alarm is valid (i.e. not a false positive) in the system before further processing is well known in the art as taught by Callay. (Abstract, line 1 teaches determining whether a maintenance message generated is or is not a real fault. I.e. a False Positive (claim 31))

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Greenwald with the general concept of checking to make sure an

alarm represents a real fault in the system before further processing as taught by Callay in order to save computation cycles in the system by not wasting them by diagnosing spurious problems.

Greenwald and Callay teach all the limitations of claims 31 and 53-55 except for the automatic remediation being associated with the event class.

The general concept of having automatic remediation available for system events and alarms is well known in the art as taught by Kojima. (Col. 4 lines 39-47 teach that an automatic correction function can be associated with an event/alarm. Additionally, if no automatic correction function is defined for an event, no correction function is executed)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Greenwald and Calley with the general concept of having automatic remediation available for system events and alarms as taught by Kojima in order to allow the operator spend more time to handle more complex errors and faults.

4. Claim 40 is rejected under 35 U.S.C. 103(a) as being unpatentable over Greenwald, Callay, and Kojima as applied to claim 31 above, and further in view of Hermann et al. (US 2002/0138638), hereafter Hermann.

Greenwald, Callay, and Kojima teach all the limitations of claim 40 except for ignoring events from devices that are in maintenance.

The general concept of ignoring alarms from machines that are in maintenance is well known in the art as taught by Hermann. ([0034] discloses ignoring alarms from systems that are undergoing maintenance.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Greenwald, Callay, and Kojima with the general concept of ignoring alarms from machines that are in maintenance as taught by Hermann in order to further eliminate alarms to process from the system.

5. Claims 33 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Greenwald, Callay, and Kojima as applied to claim 31 above, and further in view of Golov et al. (US 6124790), hereafter Golov.

Greenwald, Callay, and Kojima teach all the limitations of claims 35 and 52 except for marking transient events as invalid events.

The general concept of ignoring transient events in a fault handling system is well known in the art as taught by Golov. (Col. 2 lines 9-11)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Greenwald, Callay, and Kojima with the general concept of ignoring transient events in a fault handling system as taught by Golov in order to filter out redundant alarm messages that do not convery useful or necessary fault information. (Golov, Col 2 lines 15-19)

6. Claim 51 rejected under 35 U.S.C. 103(a) as being unpatentable over Greenwald, Callay, and Kojima as applied to claim 31 above, and further in view of Daniel et al. (US 5321837), hereafter Daniel.

Greenwald and Calley teach all the limitations of claim 21 except for the use of a default event handler if an event class does not have a pre-defined event handler.

The general concept of assigning a default handler for an object that does not have a specific handler is well known in the art as taught by Daniel. (Col. 2 line 43 teaches the assigning

of a default event class to events that do not fit any of the pre-defined classes, which inherently would lead to a default event handler for that class. In addition, Col. 2 line 68 - Col. 3 line 3 teach the use of a default action for an event that does not have a pre-defined action.)

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Greenwald and Calley with the general concept of assigning a default handler for an object that does not have a specific handler as taught by Daniel in order to make sure that all events have some processing applied to them regardless of class (i.e. logging).

Response to Arguments

7. Applicant's arguments filed 10/16/2007 have been fully considered but they are not persuasive.

8. The Examiner notes that most of Applicant's arguments are moot in view of the new grounds of rejection, however, will address the arguments that are still relevant to the new rejections.

9. In response to applicant's argument that Callay is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Callay and the instant invention are both related to eliminating unnecessary work and removing "invalid" (i.e. spurious) event/alarm messages. Thus, Applicant's invention and Callay's invention are solving the same problem (making sure that invalid, or false alarm messages are not forwarded to users/technical staff)..

10. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., that the remediation routines are not executed by a user) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael E. Keefer whose telephone number is (571) 270-1591. The examiner can normally be reached on Monday through Friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MEK 1/19/2008